

Amendment under 37 C.F.R. § 1.111
U.S. Application No. 10/042,381

REMARKS

Claims 1-17 have been examined. Claims 1, 2 and 17 have been rejected under 35 U.S.C. § 103(a). Also, the Examiner has indicated that claims 3-16 are allowed.

I. Rejections under 35 U.S.C. § 103(a)

The Examiner has rejected claims 1, 2 and 17 under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 4,939,888 to Katz et al. ("Katz") in view of U.S. Patent No. 5,878,554 to Loree et al. ("Loree").

Applicant submits that claim 1 is patentable over the cited references. For example, claim 1 recites, "covered sheet stack producing means for drawing said stacked sheets from said cutting/stacking means, placing a protective cover on said stacked sheets, at least one end portion of said protective cover being bent temporarily, and after placing said protective cover on said stacked sheets, folding said protective cover around at least a portion of said stacked sheets, to obtain a covered sheet stack."

The Examiner maintains that Loree discloses the claimed covered sheet stack producing means. Applicant respectfully traverses this assertion. As set forth in the August 21, 2006 Amendment, claim 1 recites that the protective cover is placed "on" the stacked sheets, rather than the reverse situation of placing the stacked sheets on the alleged protective cover (i.e., the boxes), as set forth in Loree. For example, Loree discloses that the stacked sheets 60 are placed into boxes which are positioned in the buckets 58 (col. 4, lines 40-51).

Amendment under 37 C.F.R. § 1.111
U.S. Application No. 10/042,381

In response to the arguments presented in the August 21, 2006 Amendment, the Examiner maintains that since the box top of Loree is folded over onto the top of the stacked sheets 60, such folding over to form a lid meets the claimed recitation of placing the protective cover “on” the stacked sheets (see Figure 2; pgs. 3 and 4 of current Office Action). However, claim 1 now clarifies that “after” placing the protective cover on the stacked sheets, the protective cover is folded around at least a portion of the stacked sheets, to obtain a covered sheet stack. Since Loree teaches that the box cover is not folded onto the top of the stacked sheets 60 *until after* the stacked sheets are placed in the box, and therefore, surrounded by the box, Applicant submits that Loree fails to disclose the claimed covered sheet stack producing means. As set forth in the August 21, 2006 Amendment, Loree’s alleged covered sheet stack producing means allows for an individual sheet in the stack to easily move and/or become bent.

Since Katz fails to cure the deficient teachings of Loree, Applicant submits that claim 1 is patentable over the cited references.

B. Claims 2 and 17

Since claims 2 and 17 dependent upon claim 1, Applicant submits that the rejection of such claims is now moot.

II. Allowable Subject Matter

As set forth above, the Examiner has indicated that claims 3-16 are allowed.

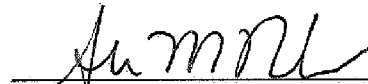
Amendment under 37 C.F.R. § 1.111
U.S. Application No. 10/042,381

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Allison M. Tulino
Registration No. 48,294

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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CUSTOMER NUMBER

Date: December 1, 2006